REMARKS/ARGUMENTS

This Reply is being filed in response to the final Official Action of March 28, 2008. The final Official Action continues to reject Claims 15-19, 21, 25-29 and 31 under 35 U.S.C. § 102(b) as being anticipated by PCT Patent Application Publication No. WO 01/33804 to Leppinen; and reject the remaining claims, namely Claims 1-5, 7-12, 14, 22, 24, 32 and 34-48 under 35 U.S.C. § 103(a) as being unpatentable over Leppinen, in view of Official Notice of facts outside the record. As explained below, Applicants respectfully submit that the claims are definite, and patentably distinct from Leppinen, alone or in view of any proper Official Notice. In view of the remarks presented herein, Applicants respectfully request reconsideration and allowance of all of the pending claims of the present application. Alternatively, as the remarks presented herein do not raise any new issues or introduce any new matter, Applicant respectfully requests entry of this correspondence for purposes of narrowing the issues upon appeal.

A. Claims 15-19, 21, 25-29 and 31 are Patentable

As indicated above, the Official Action continues to reject Claims 15-19, 21, 25-29 and 31 as being anticipated by Leppinen. Again, independent Claim 15 recites an apparatus including a processor configured to communicate with a host over a second network independent of a first network, and configured to receive a first response from the host. As recited, the first response includes a redirection to a resource at a second location and is responsive to a first request sent from a terminal (including a terminal proxy) to the host over the first network and the second network, the first response identifying the resource at a first location on the host. The processor is configured to reformulate the first request into a second request that identifies the resource at the second location, and thereafter send the second request to a host of the resource at the second location such that the respective host responds to the second request with a second response. The processor, then, is configured to send the first response and the second response to the terminal proxy.

In contrast to independent Claim 15, Leppinen fails to teach or suggest at least sending first and second responses to the terminal proxy, the first response including a redirection to a resource at a second location. Applicants again note that the Official Action alleges that the

gateway server of Leppinen transmits the new location of the resource (new URL) and the requested resource to the mobile station, and that the new URL of the resource corresponds to the recited first response. As explained in response to the second, non-final Official Action, even if one could argue that the new URL of the resource may reasonably correspond to a first response, however, nowhere does Leppinen teach or suggest that the new URL includes, or is sent to the mobile station with, a redirection to the resource at the new URL, similar to independent Claim 15 reciting the first response including a redirection. Leppinen may disclose that its gateway server receives a response from the web server including a redirection and the new URL; but nowhere does Leppinen teach or suggest that this response is sent to any proxy of the mobile station.

In response to the foregoing, the final Official Action again notes that Leppinen discloses its gateway server receiving a response including a redirection message. This disclosure of Leppinen, however, still does not meet the claimed first response that not only includes a redirection, but is also sent to the terminal (or more precisely, the terminal's terminal proxy), as per independent Claim 15. That is, even if one could argue that Leppinen's gateway server receives an HTTP redirection message corresponding to the recited first response including a redirection, Leppinen fails to further disclose that the HTTP redirection message (first response) is sent to the mobile station. And even if one could argue that the HTTP redirection message (first response) includes a new URL, which the gateway server does send to the mobile station, independent Claim 15 recites that the first response itself (recited as including the redirection) and not just any indication of a new location that may be included therein, is sent to the terminal's proxy.

Applicants therefore respectfully submit that independent Claim 15, and by dependency Claims 16-19 and 21, is patentably distinct from Leppinen. Applicants also respectfully submit that independent Claim 25 recites subject matter similar to that of independent Claim 15, including at least the feature of sending first and second responses to a terminal proxy, the first response including a redirection. Thus, Applicants also respectfully submit that independent Claim 25, and by dependency Claims 26-29 and 31, is patentably distinct from Leppinen for reasons similar to those provided above with respect to independent Claim 1.

For at least the foregoing reasons, Applicants respectfully submit that the rejection of Claims 15-19, 21, 25-29 and 31 as being anticipated by Leppinen is overcome.

B. Claims 1-5, 7-12, 14, 22, 24, 32 and 34-48 are Patentable

As indicated above, the Official Action also continues to reject Claims 1-5, 7-12, 14, 22, 24, 32 and 34-48 as being unpatentable over Leppinen in view of Official Notice of facts outside the record. Again, independent Claim 8 recites a method for requesting a resource over one or more networks. As recited, a first request for the resource is sent from a terminal (including a client application) to a host over a first (e.g., wireless) network and a second (e.g., wireline) network, the first request identifying the resource at a first location on the host. The host receives the first request and replies with a first response. A network proxy receives the first response from the host over the second (e.g., wireline) network independent of the first (e.g., wireless) network. The network proxy then reformulates the first request into a second request that identifies the resource at a second location, and thereafter sends the second request to a host of the resource at the second location for that host to respond with a second response.

As further recited, the method also includes sending the first response and the second response to a terminal proxy, and sending the first response to the client application such that, in response to the first response, the client application reformulates the first request into a third request that identifies the resource at a second location. The third request is sent from the client application to the terminal proxy, and thereafter the second response is sent to the client application. In this regard, the first response is sent to the client application, the third request is sent to the terminal proxy, and the second response is sent to the client application, independent of the first network.

Again, in contrast to independent Claim 8, and as conceded by the Official Action, Leppinen does not teach or suggest the recited method including a terminal proxy receiving both first and second responses and providing the first response to the terminal client; the terminal client then, in response to the first response, formulating a third request (e.g., new, redirected request) that the terminal proxy receives and responds to with the second response, the communication between the terminal client and terminal proxy occurring independent of the first

network. Nonetheless, the Official Action takes Official Notice that this feature is well known to those skilled in the art given the explicit disclosure of Leppinen. Applicants respectfully disagree, and traverse the Official Notice taken by the Official Action.

Again, according to the MPEP § 2144.03(A.), Official Notice can only be taken of facts that are "capable of instant and unquestionable demonstration as being well-known." Citing *In re Ahlert*, 424 F.2d 1088, 1091 (CCPA 1970), the MPEP continues by explaining that "the notice of facts beyond the record which maybe taken by the examiner must be 'capable of such instant and unquestionable demonstration as to defy dispute.'" Applicants respectfully submit that the Official Action did not, in fact, take Official Notice of facts capable of instant and unquestionable demonstration as being well known so as to defy dispute.

As explained in response to the second, non-final Official Action, the basis for the Official Notice seems to be that by Leppinen's mobile station receiving the new URL of a resource (alleged first response) and accordingly updating a history file, it would have been well known and obvious for the mobile station to formulate a subsequent request for that resource based on the new URL, and that this subsequent request corresponds to the recited third request. Even if one could argue that it would have been obvious for Leppinen's mobile station to formulate a subsequent request for the resource based on the new URL (although expressly not admitted), that does not support the mobile station formulating that subsequent request in response to receiving the new URL (alleged first response), similar to the recited client application reformulating the first request into the third request in response to the first response. Leppinen explicitly discloses that its mobile station receives the resource with the resource's new URL; and as such, Applicants question the extent the mobile station would even respond to the new URL by again requesting the resource.

Moreover, the obviousness of any subsequent request by Leppinen's mobile station does not support that the subsequent request is serviced by a terminal proxy configured to communicate with the requesting application independent of a first network (over which – along with a second network – the mobile station would have had to send a former, first request for the resource at an old URL). That is, the Official Action has not supported any Official Notice that it would have been well known and obvious for a proxy to receive the resource and new URL,

send the new URL to the mobile station such that, in response to the new URL, the mobile station formulates a third request to the proxy such that the proxy then sends the resource to the mobile station. Rather, at best, one could argue that that any subsequent resource request using the new URL of Leppinen is serviced by the web server of the new URL or the gateway server, neither of which may reasonably correspond to the recited terminal proxy since both are across the alleged first network from the mobile station.

In response to the foregoing, the final Official Action alleges that although a subsequent resource request may use the new URL of Leppinen, that request need not be serviced by the web server or gateway server, but may instead be serviced from a cache. Thus, under the interpretation of the Official Action, it would have been obvious to modify Leppinen such that its MS receives a new URL (first response) and requested resource (second response), and services a subsequent request (third request) from a cache of the previously requested and received resource (second response). Again, even if one could argue that it would have been obvious to modify Leppinen in this manner, the modified Leppinen still would not teach or suggest formulating the subsequent request (third request) in response to its being sent the new URL or even just in response to the new URL in general. Nowhere under Leppinen alone or in combination with any alleged Official Notice does the mobile station reformulate a subsequent request in response to the new URL, similar to independent Claim 8 reformulating a first request into a third request.

Applicants therefore respectfully submit that independent Claim 8, and by dependency Claims 9-12, 14 and 36, is patentably distinct from Leppinen, and that the Official Action did not support any proper Official Notice to cure the deficiencies of Leppinen. Applicants also respectfully submit that independent Claims 1, 22 and 32 recite subject matter similar to that of independent Claim 8, including the aforementioned request/response exchange between the terminal and terminal proxy. Thus, Applicants also respectfully submit that independent Claims 1, 22 and 32, and by dependency Claims 2-5, 7, 24, 34, 35, 37 and 38, are patentably distinct from Leppinen and any proper Official Notice, for reasons similar to those provided above with respect to independent Claim 8.

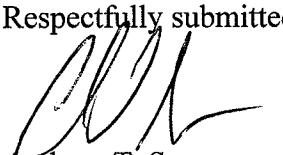
For at least the foregoing reasons, Applicants respectfully submit that the rejection of Claims 1-5, 7-12, 14, 22, 24, 32 and 34-48 as being unpatentable over Leppinen in view of Official Notice, is overcome.

CONCLUSION

In view of the remarks presented above, Applicants respectfully submit that the present application is in condition for allowance. As such, the issuance of a Notice of Allowance is therefore respectfully requested. In order to expedite the examination of the present application, the Examiner is encouraged to contact Applicants' undersigned attorney in order to resolve any remaining issues. As explained above, no new matter or issues are raised by this Reply, and as such, Applicants alternatively respectfully request entry of this Reply for purposes of narrowing the issues upon appeal.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



Andrew T. Spence
Registration No. 45,699

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111
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